This document includes the complete transcript provided by the court reporter.
The portion of the public hearing related to the Draft Environmental Impact Report (DEIR) starts on page 54.

Transcript from San Francisco Public Hearing - May 12, 2017
Bay Area Metro Center
375 Beale Street
San Francisco
JOINT MTC PLANNING COMMITTEE
WITH THE ABAG ADMINISTRATIVE COMMITTEE

RE: PLAN BAY AREA 2040
PUBLIC HEARING

REPORTER'S TRANSCRIPT OF PROCEEDINGS
Friday, May 12, 2017
Bay Area Metro Center
375 Beale Street, San Francisco, California 94105

Taken before AMBER EMERICK
Certified Shorthand Reporter No. 13546
State of California
APPARENCES

BOARD MEMBERS
DAMON CONNOLLY
SCOTT HAGGERTY
ALICIA AGUIRRE
JULIE PIERCE
DAVE CORTESE
ANNE HALSTED
JIM SPERING
TOM AZUMBRADO
JAKE MACKENZIE
AMY WORTH
CINDY CHAVEZ
PATRICIA EKLUND
NICK JOSEFOWITZ
DORENE GIACOPINI
SAM LICCARDO
PRADEEP GUPTA
GREG SCHARFF
RAUL PERALEZ
BE IT REMEMBERED that pursuant to Notice of the Hearing, and on Friday, May 12, 2017, commencing at 11:03 a.m., thereof, at the Bay Area Metro Center, 375 Beale Street, San Francisco, California 94105, before me, AMBER EMERICK, CSR No. 13546, a Certified Shorthand Reporter in and for the State of California, there commenced a public hearing.

--o0o--
MEETING AGENDA

1. Introduction by Commissioner Spering  
   PAGE 6

2. Presentation on Draft Plan Bay Area 2040  
   by Ken Kirkey  
   PAGE 9

3. Public Comment on Draft Plan Bay Area 2040  
   PAGE 13

4. Presentation on Draft Environmental Impact Report  
   by Heidi Tschudin, Tschudin Consulting Group  
   PAGE 54

5. Public Comment on Draft Environmental Impact Report  
   PAGE 59

---o0o--

PUBLIC SPEAKERS ON DRAFT PLAN BAY AREA

14. Bill Martin  
   PAGE 14

15. David Zisser  
   PAGE 15

16. Stevi Dawson  
   PAGE 18

17. Matt Vander Sluis  
   PAGE 19

18. Pedro Galvao  
   PAGE 21

19. Jack Fleck  
   PAGE 23

20. Mark Roest  
   PAGE 25

21. Theresa Hardy  
   PAGE 26

22. Peter Cohen  
   PAGE 28
PUBLIC SPEAKERS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR PLAN BAY AREA 2040

Bill Martin 60
Matt Vander Sluis 61
David Zisser 63

--o0o--
Friday, May 12, 2017                          11:03 a.m.

PROCEEDINGS

(Whereupon, a portion of the meeting was held and has not been transcribed.)

COMMISSIONER SPERING: We'll now move on to Item No. 5. This is public hearing on the Draft Bay -- Plan Bay Area 2040, the MTC Planning and ABAG Administrative Committees will conduct a public hearing to receive oral comments on the Draft Plan Bay Area 2040 this morning. And at this time, I'd like to call the public hearing to order. We are conducting it in two distinct portions this morning. The first will cover the Draft Plan Bay Area 2040, and the second will focus on the associated Draft Environmental Impact Report.

Both of these documents are out for public review and comment until June 1st. This is the first of three such hearings. Others are scheduled for Tuesday, May 16th, from 6:00 to 8:00 p.m., at San Jose State; and on Thursday, May 18, 6:00 to 8:00 p.m., at the Vallejo Naval Historical Museum.

The Draft Plan Bay Area 2040 is a state-mandated, integrated long-range transportation and land use plan as required by Senate Bill 375. And the Draft Plan includes a sustainable community strategy as part of the Regional
Transportation Plan.

In the Bay Area, the Metropolitan Transportation Commission and the Association of Bay Area Governments are the agencies that are jointly responsible for developing and adopting the SCS that integrates transportation, land use, and housing to meet greenhouse gas reduction targets set by the California Air Resources Board.

The Draft EIR analyzes and discloses the potentially adverse significant impacts associated with the implementation of the proposed Plan Bay Area 2040, and identifies the potential for significant effects in the areas of transportation, air quality, land use and physical development, climate change, greenhouse gases, noise, biological resources, visual resources, cultural resources, public utilities and facilities, hazards, and public services and recreation.

If you wish to speak this morning, please fill out and submit a blue speaker's card. Please indicate on the card whether you wish to speak on the Draft Plan, which is item 5a on our Agenda, or the Draft EIR, which is item 5b. If you wish to speak on both, you'll need to submit two separate cards. We would appreciate that. And you can speak on those when your name is called.

Staff is on hand with cards. So please raise your hand, if you need a speaker's card. What I'm going
to ask is our secretary, Martha -- so, Martha, hold your hand up here. Martha will be receiving the cards. And she will call five names at a time. I've asked her to call the names. And she will -- we'll be using both podiums. So if you hear your name and you want to line up, you certainly can do that.

Please state your name and which document you are commenting on so that we can be clear for the record. A court recorder is hear to transcribe your remarks -- right back here. Please speak clearly. And you may be asked to repeat something. So if she can't understand what you said, she'll get my attention, and we'll ask you to repeat it.

Public comment will be limited to two minutes per speaker. Everyone will have an opportunity to speak. In addition to the three public hearings, you may also submit your comments by e-mail for the Draft Plan. You may submit comments to info@planbayarea.org for the Draft EIR. You may submit comments to the EIR comments@mtc.ca.gov. This information is printed on brochures that is available at the hand-out table.

And now I'd like to introduce Ken Kirkey, the MTC Planning Director, who will provide an overview of the Draft Plan.
Ken, are you ready to do that?

MR. KIRKEY: I am ready to do that.

COMMISSIONER SPERING: Okay.

MR. KIRKEY: Morning, committee members. As has been described by Commissioner Spering, this is a public hearing. And, in addition, given the fact that most of you have heard some variation of this presentation several times, I'm going to march through it fairly quickly, to aleve a lot of time for public comments.

So Plan Bay Area 2040 is a 24-year vision for how the region can grow. It's also the Regional Transportation Plan and the Sustainable Community Strategy for the nine-county Bay Area.

As has already been discussed a few times this morning, we've been seeing a lot of job growth over the last several years in the Bay Area and not nearly as much housing growth. This has had a pretty significant impact on our transportation system.

Rail ridership has gone up significantly, as has congested delay. That's delay where traffic slows to a speed of less than 35 miles per hour. If you look at this slide, you can see that that is at its highest level ever, by far. And I think many people in the region are well aware of that fact.

The process to develop the Plan, as you know, is
quite lengthy. We launched in Spring 2015. We are now in
the Spring and in the midst of the Draft Plan, and the EIR
release, which, as Commissioner Spering said, will go
until June 1st.

In terms of the growth distribution, this is a
focused growth plan. Much like Plan Bay Area adopted in
2013, the growth is heavily focused on the existing
communities of the region, particularly the largest three
cities. And the Priority Development Areas are our
primary framework for the Plan. The Draft Plan would have
77 percent of the housing growth within the PDAs.

In terms of jobs, the growth is also quite
focused, although not quite as much, in terms of the
growth in the priority development areas.

It's also worth noting that because the base year
for the Plan is 2010, much of the growth -- nearly half --
has already occurred, given the really rapid job growth
the region has experienced over the last several -- excuse
me -- several years.

In terms of the transportation investments, this
Plan focuses heavily on operating, maintaining, and
modernizing the existing system. Only 10 percent goes to
expansion.

And in terms of targets, in addition to the state
targets related to planning for housing growth for the
region, as well as attaining a GHG target of 15 percent per capita reduction that the state gives us, MTC and ABAG has adopted a whole series of performance targets to get at other issues that are important to the region.

And as this slide depicts, there are several that we have achieved. There are four that we're moving in the right direction on, and there are four that we are moving in the wrong direction on; particularly, again, related to housing, affordability, and so forth.

This is another look at that. You can see where we tend to do well, and where we're off trajectory.

So the Plan itself is very much oriented to being an online document. We've had lots and lots of public meetings. We're in the midst of having more public meetings. In a region of seven-and-a-half million people, we can only reach so many people through public meetings, however. So we are encouraging folks to go online, to view the Plan online, and to comment online.

And there we go. In terms of the Plan document, Section 1 really tells the story of where the Bay Area is at, with a particular focus on the three-decade-long housing crisis we have, and its impact on the transportation system.

Section 2 describes what the Plan is, its purpose, its statutory framework.
3 is how the growth is projected in the Plan; where the growth would occur. 
4 are the strategies to support that growth, the transportation assumptions, as well as the performance of the Plan.

And then 5 is an addition that was put together in its draft form. I expect you're going to hear a bit about this this morning. This was at your direction. It's an Action Plan. And it's based, in part, on this slide -- which drew a lot of attention at these meetings and many others last summer and last fall -- where our analysis shows that the already heavily-burdened households in the region -- those at the 50 percent or below level, in terms of income -- over successive booms between now -- and also droughts of growth between now and 2040, the burden would become that much worse; 67 percent of household income through 2040.

This tells us that as a region, the region needs to do a lot more. If people think things are bad now, they are only projected to get worse. And that's with some assumptions around additional affordable housing funding. That's with the growth that's called for in the Plan. That's with the investments, in terms of the RGP. So, clearly, we need to do a lot more as a region, if we want to shift where we're headed, in terms of
affordability.

The Action Plan has three primary components:

One is housing; one is economic development, related to increasing the numbers of middle-waged jobs in the region.

And one is resilience, which is largely about continuing the work that's been done related to earthquakes and hazards, and so forth, in the region, but really ramping up and focusing our efforts around climate adaptation, particularly related to sea-level rise.

So, again, folks can comment on this through June 1st. They can view it online. There's a lot of information there.

I'm going to stop here, open it up to questions and comments on your part.

And, also, as Commissioner Spering said, we'll hear comments on the Draft Plan before we have a presentation on the Draft EIR

COMMISSIONER SPERING: Okay. Thank you.

And, committee members, anybody have questions for staff before I open the public hearing?

Okay. If you'd like to speak on this item, please get your card in. We have two card collectors over there, our Vanna Whites against the wall. And they will get you a card and get the card to Martha.

And so at this time, I would like to open the
public hearing.

And, Martha, if you're ready, you can call the first couple speakers.

MS. SILVER: Bill Martin, David Zisser, Stevi Dawson.

COMMISSIONER SPERING: You know, you don't necessarily have to go in that order. If you're ready to go, just state your name, so we know who's speaking. So try and speak clearly and not too fast.

BILL MARTIN: Thank you. My name is Bill Martin. I'm a San Francisco resident.

A couple of things missing, in my opinion, from slides eight and nine. That's water. Where's water going to come from?

A couple of -- a little bit of history here. In June of 2016, 69 percent of Bay Area voters voted to tax themselves parcel tax to fund wetland restorations in San Francisco Bay. I think that clearly illustrates Bay Area voters relative to the health of the San Francisco Bay Delta Estuary.

Item 2: The State Water Resources Control Board released Phase One, Draft Supplementary Environmental document. In this document, they propose a doubling of unimpaired flows through the three major tributaries in the San Joaquin River. The -- they are expected to
release their final proposal in -- later this year.

Also, the State Water Resources Control Board is currently working on Phase Two of their Bay Delta Plan. This involves the Sacramento River, most of which provides most of the flows through the San Francisco Bay Delta Estuary.

I don't think it's idle speculation to assume that the Water Board is going to increase the required un-impaired flows down the Sacramento, just as they have done through the tributaries through the San Joaquin.

Finally, there's droughts. In case you haven't noticed, we have them here in this state. And the effects of these droughts are especially severe on the environment and the Bay, and the Bay Delta Estuary, when the drought hits its bottom levels. So I really think --

(Beep.)

COMMISSIONER SPERING: Go ahead and finish your point.

BILL MARTIN: I'm going to come back to comment on the Draft Plan. So I'll stop there.

Thank you very much.

COMMISSIONER SPERING: Okay. Thank you, sir.

Next speaker.

DAVID ZISSER: Still morning; right?

Good morning. I'm David Zisser. I'm with Public
Advocates. I'm an Oakland resident, born and raised in the Bay Area.

And I want to start by thanking staff for their work on the Action Plan in particular. That's what I'm going to talk about for a couple minutes. And to you all for including the Action Plan as Chapter 5 in the Plan -- in the Draft Plan.

I also want to thank staff for meeting with us several days ago, having a robust discussion. And just, again, as a reminder, the Action Plan was included because even under the preferred scenario in the Draft Plan, some key equity issues are moving in the wrong direction, especially displacement, affordability, even with certain assumptions.

So the Action Plan, we hope, can be a policy agenda for how we make those assumptions real, and how we go further than those assumptions because we need to.

Chapter 1 provides a great analysis of the crisis. And the Action Plan itself is a great start, but it lacks specificity to really be a meaningful document. We really hope that there can be something that's specific and clear and aggressive and really explicitly addresses displacement.

We sent a letter -- it's here. It's a pink document -- along with -- so that's from the 6 Wins and
NPH and Greenbelt Alliance. And it includes several recommendations of new actions we hope can be included, as well as actions that are in there that really require more specificity.

We're -- I just want to highlight a couple. We need a plan to generate revenue for affordable housing in this region. You all have rightfully pointed out that you have a lot more authority around transportation investments than around affordable housing because there isn't money. So let's work on getting some money. We're not asking you to figure that out right this minute, but to at least commit to developing a revenue plan.

We've had successes with OBAG and made real progress there; time, transportation, and land use and housing. We hope that we can really build on that, learn from that experience, refine it, and think about new opportunities to do the same kind of thing.

We've also had successes, thanks to you all, on the TOAH and NOAH housing initiatives. Those are small investments that need to be bigger, and we hope that there can be an action to work on expanding those as well.

We're glad to work with staff on refining the Action Plan. We also shared a one-pager with folks that summarizes our recommendations, and we look forward to working with everyone to make this even better.
Thanks.

COMMISSIONER SPERING: Thank you.

Next speaker.


ST EVI DAWSON: Good morning, Commissioners and Staff. My name is Stevi Dawson. I'm a resident of affordable housing, and I live in West Oakland. I'm with 6 Wins and the East Bay Housing Organization. I'm here to echo pretty much what David just said to you.

We sent the MTC Planning Committee a letter dated May 5th, 2017. And we would like you to understand that housing and affordability, along with displacement risk, require much stronger and more precise language in the Action Plan, along with meaningful policy, regulatory, and revenue strategies that will get us to long-term affordable -- affordability in the Bay Area.

We want MTC and ABAG to develop regional revenues for affordable housing production and preservation that is scaled to meet the needs projected by Plan Bay Area and a specific time frame by which to expect the revenue plan.

Also, MTC should tie funding sources to both affordable housing and anti-displacement protections.

This was previously included in the Action Plan. We would also like quarterly reports on performance, to promote
transparency and accountability.

And, finally, I would ask that you prioritize public land for affordable housing; build on MTC's existing efforts to inventory public land and to require compliance with the state's Surplus Land Act by including an action to incentivize the use of public land for affordable housing development.

And, lastly, on a personal note, my oldest child -- my daughter -- is currently living in a shelter after going through eight months of displacement agony. Her family has been destroyed. Her life has been destroyed. And I would like you to do whatever you can to help people in this region who are facing displacement.

Thank you.

COMMISSIONER SPERING: Thank you.

Next speaker.

MATT VANDER SLUIS: Good morning. Matt Vander Sluis, with Greenbelt Alliance. We'll be providing written comments by the June 1st deadline. I'm here to highlight a few things for you this morning.

First of all, many congratulations on the overall thrust of the Plan that you've put together, which calls for focusing growth within our existing communities near transit, near jobs; within our existing urban growth boundaries, rather than sprawling outward.
As we've talked about for many, many months, there are a wide variety of benefits from this approach to helping to safeguard our drinking water supplies, to reducing the grueling commutes that many of us experience, to improving our regional economy.

On the waterfront, we've been recently doing some research on this integration of water and land use and found that growing in a more compact fashion, a compact home uses about 35 percent less water than a home -- done in a more sprawling fashion. So to solve our region's water crisis, we need to be focusing our growth in a water-wise way.

And we have also thanked you for the strong call to arms about tackling the region's housing affordability and displacement crisis in a sustainable way and look forward to working with staff to continue to refine the Action Plan.

As was mentioned previously, we have a set of recommendations of how we can refine that Action Plan to provide more clarity and a clear roadmap going forward. In particular, identifying which transportation funding sources could be better aligned so that we are syncing up our land use and housing outcomes that we want to achieve for the region; rewarding jurisdictions growing in sustainable and equitable ways; establishing an
infrastructure bank that could help provide affordable homes, and use that in communities that are growing in smart ways; and create a funding plan for closing the affordable housing gap.

We also very much appreciate that the Plan -- in the Action Plan section -- highlights the need to expand our natural infrastructure as a key tool to tackle the impacts of climate change and calls for establishing a regional advanced mitigation program for the region to help improve how we deliver transportation projects.

We would like to see more details in that section about expanding natural infrastructure. For example, a commitment to continue to expand and refine our priority conservation area program, a plan to close the funding gap for protecting our natural and agricultural lands, and to better link our water and land use decisionmaking so that we can all be moving on the right direction on that front.

So thank you very much. And we look forward to working with staff and you in the coming months to refine the Plan.

COMMISSIONER SPERING: Thank you.

Next speaker.

MS. SILVER: After Pedro, Jack Fleck, Mark Roest, and Theresa Hardy.

PEDRO GALVAO: Morning, Commissioners and ABAG
Board Members. My name is Pedro Galvao, and I'm with the Nonprofit Housing Association of Northern California. I want to echo Matt and David's comments. They are fully in line with my own, in that we are really grateful for the work that you've done to get us to this point, for the bold commitment you've made in including an Action Plan, for the thoughtful discussions you've had around housing principles. Even if we've decided not to go that path today, it's still -- you're still having these important conversations, and you're still seeking every way to move us forward.

To bring us back to the Action Plan and why it was included in the Plan is because, as you saw, in 2040, we expect that lower-income households will be spending up to 70 percent -- rounding up, but up to 70 percent of their income in housing and transportation costs. And that's unacceptable. And the Action Plan was a way to look at what the agencies could do now, between this current plan and the next, to address the crisis of housing affordability and displacement in the region.

And so it's already a very narrowly-tailored document to what the agencies can do. And so NPH would like for you to commit to having actions that are more specific and have a timeline for which they're going to be accomplished by.
The two that I would like to highlight were actually two actions that were previously included in the Action Plan, but were subsequently removed, which is, we would really like for you to commit to developing a revenue plan for affordable housing regionally. That doesn't mean that you commit to any specific source. It means you talk about it; you examine what the region can do.

We'd also like to encourage MTC to look at both its upcoming fundings -- "major transportation funding sources," as it's called for in the Action Plan, but also its existing transportation funding sources.

There's $74 billion worth of discretionary funds that need to be studied. So we can figure out which of those can be used to incentivize better housing and anti-displacement outcomes in the region.

Since I'm over time, I'll end with that. But really --

COMMISSIONER SPERING: Good. Thank you.
PEDRO GALVAO: Thank you.
COMMISSIONER SPERING: Next speaker.
The speakers can line up on both sides, to kind of -- the next speaker, so we can --

JACK FLECK: Hi. I'm Jack Fleck, from 350 Bay Area. And I would like to call on the ABAG and MTC
Commissioners here to take leadership on the climate change issue. This is really a tremendous crisis that the globe is facing. And I -- of all places, the Bay Area should be -- California is exercising great leadership. But the Bay Area, within California, should even be exercising more leadership.

Now, Mr. Kirkey mentioned that we are in compliance with the SB 375, 15 percent per-capita goal, and that's good. Although, I would urge you to look closely at how we're achieving it, because I think there are some questions as to whether we're really going to get there.

But even more important than that, I urge you to take the leadership or the example of your colleagues at the Bay Area Air Quality Management District, which set a goal of 80 percent reduction by 2050.

Now, they may have focused on stable or fixed sources, and MTC focuses on mobile sources. So this is very much within your purview to be able to do that. And I don't want to say it's impossible, because I actually have a very hopeful letter I'd like to submit here -- Press Release from the Institute for Transportation and Development Policy, coauthored by a professor at U.C. Davis, that stresses that by electrification, automation, and ride sharing, we can reach over 80 percent reduction
in greenhouse gases.

But this Plan Bay Area does not include that vision. It only says narrowly, "Well, yeah. We're in compliance with that 15 percent SB 375 goal."

So I'm here to urge you to really take a look at this and think about MTC's role. Think about urging the region to actually achieve the types of reductions that are needed.

Within that letter I just submitted, there's also a graph that shows that at the current rate of global warming, we're going to reach the 1.5 degree centigrade level that the UN says is the start of climate chaos in 2030.

Now, I used to say all my grand-kids are going to be affected to this -- by this. And then I thought, well, maybe my kids are. 12 years from now, I'm going to be affected by this, and so is all of us.

So I urge you to really take climate change seriously.

COMMISSIONER SPERING: Thank you.

Next speaker.

MARK ROEST: Hello. I'm Mark Roest, and I live in San Mateo.

New technology, integration, and designs can make it possible and affordable to provide housing, community
facilities, and a system of types of transportation that move people long distances and in the last mile.

One thing to realize is that as we move past fossil fuels over the next 10 to 15 years, or less, we will be phasing out spending on them, and phasing in free energy, as financing has paid off. That can rise to 10 to 20 percent of total economic activity.

Also, the technologies I'm referring to can cut costs of manufacturing and construction by 30 to 70 percent. So let's use them.

I represent a battery company, and I'm working with some people involved in new materials and new structural systems, and we also have wind and solar.

And there's a group, called "Green Fleece Group," that is working on transforming transportation for the low-income and impacted communities.

And I'd like to see -- I'd like to talk with people in depth and in detail about how to weave all these things together.

COMMISSIONER SPERING: Thank you, sir.

Next speaker.

MS. SILVER: After Theresa Hardy, the last speaker is Peter Cohen.

THERESA HARDY: Good morning. My name is Theresa Hardy, and I do recognize that affordable housing is very
crucial moving forward with growth and jobs. Last night I
attended the Berkeley League of Women Voters' meeting, and
the mayors of Emeryville and Albany and Berkeley were
there. And they had a panel discussion about affordable
housing. So this is an issue that's being addressed by
local cities.

One of the things that was not addressed and that
-- organizations that are dealing with water would like to
be -- see addressed is the water availability. Bill
already spoke to you. He's a member of the Sierra Club,
as I am, and I'm a member of the water committee.

And we're also working with Peter Drekmeier, who
is the Director of the Tuolumne River Trust. Moving
forward in California, we are looking at decisions about
the Delta tunnels, of which the local communities are very
opposed to because of water issues and salinity in the
Delta.

We're also looking at flows of rivers here in
California, especially the San Joaquin, and moving
forward, as Bill said, on other parts of that. And are we
going to approve those flows at 40 percent, which
environmentalists say are not even enough?

Then we have drought. East Bay MUD, San
Francisco Pacific Utility Commission -- a lot of water
districts are looking at the drought issue, and how are
they going to supply water to their current customers, along with conservation? And when they have conservation, then you have less money for infrastructure. A lot of these water districts are faced with very old pipe systems. So I think moving forward, we have to address the water issue, if we are also going to be looking at housing because it is -- you can't build housing without water. So, you know, I'd like to see this as part of the Plan. Thank you.

COMMISSIONER SPERING: Thank you. Who is our last speaker? Before -- before you start, sir, is there anybody else in the audience that wants to speak?

Okay. So this will be our last speaker. PETER COHEN: I get the clean-up batter role. COMMISSIONER SPERING: Yes, sir. PETER COHEN: It's nice. Okay.

COMMISSIONER SPERING: Well, the Giants could use one. So...

PETER COHEN: I'll just go right down the street. Good morning -- I guess almost afternoon. My name is Peter Cohen. I'm with the Council of Community Housing Organizations based here in San Francisco. And I
hope you're enjoying spending your time across this side
of the Bay.

I just want to remind folks that the Action Plan, as part of Plan Bay Area, was actually something that a lot of us advocated for, for a long time. And I'm actually very thankful that not only staff, but you folks, see that as an essential piece of the puzzle because the frustration about planning and making documents and visions and not actually having an actionable game plan, I think we all share with you. We want to see action, and it needs to be crisp and specific and time-certain. And we need to follow through. So just getting that into this Plan Bay Area is key.

Some comments of where it is now. Certainly, it just needs to be specific. I mean, action is about doing things; not about talking about doing things at some point.

So as we continue to work with staff and offer some ideas to you, it's in the spirit of, "Let's get it done, and let's not think about what we need to think about getting done."

So more specificity you see in all the suggestions in the 6 Wins, NPH, Greenbelt letter are, again, intended -- not so much as a critique, but to say, "Let's get some specifics on the dartboard, and let's
start doing them."
2  I want to focus on three specific things you
3  heard earlier about affordable housing revenue. It's
4  great. We can run around and try to find revenue. We can
5  find bonds. There's been a lot of success this last year.
6  We had our own bond in San Francisco. But at some point,
7  we need to know what we need to get.

8  There needs to be an assessment of what it's
9  going to take, in terms of overall revenue, to meet the
10  goals in Plan Bay Area. So we sort of have the scale of
11  the shopping list, and then a game plan to figure out
12  those revenue strategies over time.
13  It's really important to do that because just
14  winning one bond and thinking it's over kind of gives us a
15  false impression that that's it.
16  Secondly, one of the best things you've done is
17  to tie your funding sources to affordable housing
18  performance. I know it's been a difficult learning curve,
19  but it's actually successful with OBAG. And I think at
20  the state level, there's that recognition.
21  So that's the second thing. We really emphasize
22  trying to tie development to transportation. It is truly
23  TOD.
24  Thank you.
25  COMMISSIONER SPERING: Okay. Thank you.
Martha, was that our last speaker?

Anyone else in the audience?

Okay. Now I'm going to formally close the public hearing for the Draft Plan Bay Area 2040.

And so, Pat, you want to comment before we go into the EIR?

COMMISSIONER EKLUND: Actually, I have two questions.

COMMISSIONER SPERING: Sure.

COMMISSIONER EKLUND: The first question is relative to the schedule.

You indicate that we're going to have a presentation on June 9th about what the public feedback was; and then July, adopt it. But there's a huge gap there.

When are we going to be able to see the responses to comments, and also the proposed changes to the Plan, so that we have an opportunity to review that with our other elected officials in the county, prior to actual adoption in July?

MR. KIRKEY: So the schedule is, as you described, in terms of June 9th, we'll have initial feedback and overview of that before these two committees meet jointly.

In early July, there will be a release of the
final Plan; our overview of that for review by the committees.

And in terms of changes, what I suspect is that, you know, based in part upon the feedback we've received today, and other feedback, is that relative to the Action Plan, there will likely be some fine-tuning. That's going to be based in large part upon what you all tell us to do about the Action Plan.

But in terms of the Draft Plan, we don't foresee changes. You have the results of the EIR process, and you will have the Draft Plan. And we will be asking you to make a decision about that; whether or not you want to approve the final Plan or, if not, if you were to go with another EIR alternative. That is really the choice before you; not tweaks to the Draft Plan.

COMMISSIONER EKLUND: And what about response to comments?

Are we going to be able to see that in early July?

MR. KIRKEY: Yes.

COMMISSIONER EKLUND: Okay. Great.

The other question is, is in your slide, you indicate transit use is going up. And what is the data source for that?

Because when you look at the American Community
Survey, it looks like the number of folks that are commuting from the suburbs going into San Francisco may, in fact, be declining and not increasing.

So I'm kind of curious. What was your data source for that -- for the increased transit use?

MR. KIRKEY: The data source is the American Community Survey. There has been a slight dip of late, in terms of rail ridership. But overall, per-capita ridership is at its -- most recently, at its highest level in about 15 years.

And I don't think we see any significant downturn, in terms of people commuting into San Francisco from surrounding communities. It's at a very high level right now.

COMMISSIONER EKLUND: Yeah. Well, the numbers from Marin, is definitely a reduction. So hopefully we can set up a time where we can go over some of these assumptions and the data. That would be helpful.

MR. KIRKEY: Sure.

COMMISSIONER SPERING: Commissioner Cortese?

COMMISSIONER CORTESE: Thank you.

Just with regard to the letter that was submitted that many of the public speakers spoke on, is it -- is there -- I mean, there's a lot of issues here that were brought up that were spoken to. I think too much -- it
feels like too much to try to walk through. And I don't want to do that. But I want to just ask if that level of dialogue, you know, on a point-by-point basis, is still going on between planning and these advocates? I mean, we brought this Action Plan in, by and large, as a request from them in the first place.

And I fully -- I fully understand the tension between the fact that we actually are planning folks; not land use authority folks. And so the stuff that people would like to have us dictate, and probably some of the stuff from time to time we would like to dictate, can't be done. But I just want to make sure that the dialogue is going, you know, back and forth.

And if not, you know, maybe this would be a good time to say so, so that we know that. If I know that's happening, I can trust that the Draft Plan will come back with, you know, every last ounce of dialogue having been wrung out of this before you bring it to us.

MR. KIRKEY: I think it is safe to say that it will be wrung. We are having dialogue.

You know, I think that conversation and the Action Plan in general, or at least specifically related to housing, is very much akin to your earlier conversation
in the legislative committee around the housing principles.

We're trying to walk a line between being pretty high-minded and focused on what we think should be addressed going forward. But you're going to be debating, I think, a number of actions, potentially, over the next year or two related to, for example, how commission transportation funding may or may not be conditioned. And we don't want to get ahead of ourselves or certainly ahead of you in that regard.

So that's -- that's where we are. But we are engaged in dialogue, and we'll continue to be. And we'll bring feedback on that back to you.

COMMISSIONER CORTESE: Thank you. And I think we also all understand -- and it's been voiced here many times -- that we don't have unlimited amount of transportation funding to direct that way, relative to the magnitude of the problem.

But I just think that points are being raised -- and it's great to have people engaged and to have a lot of eyes on this to try to figure out what we can do, you know, and stretch as much as possible.

On -- specifically paragraph 7, on their letter, "Add Specificity to Current Proposals." But what that's really about, I think, is less about specificity to
current proposals and more about what I read as kind of a
cconcern that I'm not even clear on as to whether or not,
you know, somehow the Action Plan will get turfed to the
CASA process or the CASA group.

And, I mean, this is a question for our Executive
Director, which can be good and bad, in some sense. I
don't know -- I read this and think, "How helpful or
unhelpful could that be?"

Certainly, after all this debate about "Let's
have an Action Plan in Plan Bay Area," and given the
schedule as to where CASA is now, I think you probably
would have liked to have had it convened by now.

But the CASA work, no matter how much we blow at
the boxes and how exciting it is, it's going to come after
this process.

So there's this other tension, it seems like,
that's legitimately pointed out here, is: Are we going to
have an Action Plan that is, you know, transformational
enough in Plan Bay Area, or is it going to be turf? And
we don't want it turf because we want -- that's what I'm
reading here -- we want to make sure that what we
bargained for is actually in the Plan.

So I think these are good questions. I'm just
wondering what your perception of that is, Steve. And
that's also something we can try to give reassurances to
the advocates; that we're going to have the best of both
worlds here.

MR. HEMINGER: I think that's well said, Commissioner. We don't intend the CASA effort to be a
stand down; right? -- that we just sit around and talk to
each other for two years and do nothing.

I am very mindful of the urgency that our debates
about the housing and growth questions tend to peak right
before the recession. And then the recession hits, and
all anybody wants to talk about is, "Where did the jobs
go?" So I share their sense of urgency.

At the same time, I think the CASA idea
recognizes an underlying reality; that we can troop to
Sacramento and ask for something. And what we've seen
time after time after time is that some interest group or
groups can stifle it. And until we clear a path, I think
we're going to have the same kind of result in Sacramento
that we've seen to date.

So the idea with CASA is to see whether they can
-- whether a multi-pronged stakeholder group -- you know,
sort of a coalition of the willing -- can clear a path.
But we're going to try to get to Sacramento and take
advantage of whatever legislative initiative they have in
the meantime. We're not going to sit on our hands.

COMMISSIONER CORTESE: Is it conceivable that
there's some happy landing spot on this -- is to -- going
back to ringing out whatever can be wrung out -- and
that's actually within our authority to do -- you know,
with the Plan Bay Area Draft, and then agreeing on what
things are going to require potential legislative action
or just some sort of radical surgery that is the kind of
thing that might come out of CASA, and then work with the
group to, again, agree that those things -- some items may
just belong in CASA because of the nature of -- of the
authorities --

MR. HEMINGER: Right. I mean, you mentioned
earlier the "By Right" proposal from the governor. And
whatever its flaws or demerits, the fact is, you know,
local government didn't even get a chance to kill it
because labor and the environmentalists killed it first.

And that's the problem we've got in housing
policy, it seems to me, is that quite a few people have a
veto. And until we can clear away some of those vetoes
with some common ground, I fear that we're just going to
keep repeating the same experience.

COMMISSIONER CORTESE: Let me just use, as an
example, and try to, you know, again, validate some of
these concerns, I guess, is we can't -- we don't have "By
Right." If that were a tool that our own advocates here
would have liked to have seen or similar tool or some
hybrid of that tool in Plan Bay Area, it's not going to happen. So we need to close that button on Plan Bay Area.

But maybe the things that they're advocating, that resemble that need to be part of CASA -- you know, just by -- I'm just talking about informal agreement here; not commission action. I'd just like to see those -- that kind of threshing out, you know, worked out with folks who are trying hard to help us and seem to be willing to advocate for some of the -- well, some change.

I mean, there's some of the same old/same old here, frankly. And I think, to our Executive Director's earlier comments, that's not working -- or hasn't been working very well.

But to create space for all of you to help us figure out, you know, what the new reality should be, I think pieces of that will probably have to go in the CASA process; and then with the reassurance -- I'm happy to hear that we did our Santa -- I'm happy to hear your ideas about timeframe because when we did the Santa Clara County Housing Task Force, which led to far beyond, actually, what I had even hoped for, in terms of -- of action items and outcomes. It was seven months, and you got seven months, and everybody needs to be there. No excuses. And you got -- you got to finish your recommendations, and they need to be concrete, and they need to be
change-agent-types of recommendations.

There's something about a deadline like that, I think, that, you know, both encourages people, inspires people to move fast, but also makes them realize that these meetings aren't going to be around forever, and you need to show up and put 110 percent in.

So I know I've had a chance to talk to you about the specifics since the workshop that we had some time ago. But I'm glad to hear that you're thinking about a tight timeframe on it. And I think that would be reassuring to folks who are -- would otherwise not want things out of Plan Bay Area that might be transformational to know, "Well, if they do go to CASA, at least we're going to sort those out, you know, in a tight timeframe and" --

MR. HEMINGER: Yeah. I do regret to say that I think the hardest thing we've had going with CASA so far is to find a date that people can show up for the first meeting. That often is difficult, when you've got a cast of characters like we're trying to assemble.

COMMISSIONER CORTESE: I understand.

MR. HEMINGER: So we do hope to get it started in short order, and then try to add, as you said, a sense of urgency and timeline to get through it.

COMMISSIONER CORTESE: Okay. Thank you for
responding. Appreciate it.

COMMISSIONER SPERING: Okay.

I have Julie, Raul, and then Jake. And I'll

watch for anybody else.

COMMISSIONER PIERCE: Thank you. I think I -- I

would like to say, I had an opportunity to sit in on a

meeting with staff and with the 6 Wins Coalition and many

of their representatives a little over a week ago. And I

think that was a good conversation. I think we can agree

on many things that needed to go forward; some specificity

that we need to add to the Action Plan. Staff was

certainly very receptive and indeed suggested some places

where we can improve the specificity.

I think the other thing we need to recognize

going forward is that regional government cannot do it

all. We can suggest. We can put together a framework,

but we're not the ones that can accomplish a lot of what

we want to get done. We can lead, but we cannot enforce.

It needs to be a collaborative effort with the

private sector. It needs to be a collaborative effort

with local government. I think -- I've been working now

for over four years with folks like the Bay Area Council

to get some of these things done. I've been talking with

them for about four years now. I was struck by that when

I actually sat down and looked at the calendar and found
out, when did I first meet with them about these things --
about putting together a Bay Area-wide housing trust fund,
and how can we do that, and how can we be innovative? And
it means, we need to bring in the private sector.
And interestingly enough, in some of the
discussions at the Bay Area Council Economic Institute
meetings, as long as three years ago, I had comments back
from many of the leaders in the Bay Area, private sector,
about how banks and mortgage companies and the big
employers and even venture capitalists might be involved
in that effort to put together those kinds of funds on a
regional basis. But we've got to do it in a
collaborative, collective manner.
And so I think CASA is intending to bring
together that kind of a group of people. And, of course,
getting them all together in one room at the same time is
tricky. But the Economic Institute had managed to do that
on a regular basis. The Bay Area Council does that on a
regular basis. I think we actually can do that.
That means we need to bring those folks together
with the stakeholders as well. And we cannot rely on
Sacramento to do it. We have to take the bull by the
horns. We can ask Sacramento to do what we need to have
done. Whether they'll do it or not, we need to go
forward.
So I think one of the things we've highlighted here in the past is, we've done a whale of a lot of studies over the last five, ten years. Lots of people have done studies.

It's time for action. And I think that's what CASA is intended to do. It's not, "Study things to death." It's to use the information we've already collected and put that together into the implementation of what we're trying to outline in the Action Plan.

And we can't ask for all the specifics on it because we don't have all the players at the table yet. And that's what CASA is intended to do, is bring those players together and start getting us motivated and getting us actually doing the things that need to be done. And that's something that regional government, local government cannot do alone. So when we bring in the private sector, and we bring the stakeholders together, and we all start working in the same direction, then we can actually accomplish something. And that can't all be written into this Plan specifically, but what we can do is commit to bringing those folks together and working collaboratively together to actually get something done this time.

Thanks.

COMMISSIONER SPERING: Okay. Raul, Jake, and
then Nick.

COMMISSIONER PERALEZ: So I'll be brief because my comments are along the lines of what you've already heard.

But I'm very happy that we do have this Action Plan, and that we added this to it. I appreciate staff working on doing that. And I think, actually, the Action Plans that we've laid out are solid; although, certainly, as we've heard, there could be -- whether it's additions or refinement of what we're putting in -- because it probably is the most important thing of the document, which is being able to actually implement it and create some action on what it is that we have in Plan Bay Area.

And I also just want to kind of emphasize that we don't underestimate our influence. And although we obviously know that there's things that are out of our control, that we -- we cannot make a direct impact on, whether it be at the state level or whether it be at the local level, we are an influencer.

And this document obviously gives us that ability to send out that message. And this is our opportunity to be able to make sure that we can do so. And within, I think, the Action Plan portion of it is where we can be the most specific.

And so I think we have some good opportunities
here. Certainly we have participants and other
stakeholders in our community that want to be able to work
with us.

Dialogue has already occurred, and I'm confident
that you'll be able to have those dialogues. We'll be
able to take this feedback. We'll be able to refine the
Plan, and specifically the actions, to make sure we can
incorporate as much influence as possible as we are
unveiling this second generation of Plan Bay Area.

Thanks.

COMMISSIONER SPERING: Okay. I have Jake and
then Nick.

Is there anybody else that would like to -- you
don't need to turn your card up; just get my attention.
Okay.

So Pradeep. Okay.

Jake, and then Nick, and then Pradeep, and then
Haggerty.

COMMISSIONER MACKENZIE: Thank you, Mr. Chair.

Yeah. I've been nominated to serve on the infamous CASA,
and I'm anxiously awaiting its first meeting. And I can't
say anything more about it because we haven't met.

But in terms of the document that's in front of
us, if you go to Chapter 5, on page 70, Action Plan --
"Action Plan" has an asterisk beside it. So just as a --
at the moment, as we move forward with this, it then says,
"Section is preliminary. May be refined based upon
further development."

So I think that's what we've been hearing about
in the public testimony. I'm pretty sure that's what
Commissioner Cortese was referring to when he went back to
the letter submitted to us.

And so, Mr. Chair, I have a question: When Plan
Bay Area is adopted as it stands at the moment, there is
room, as I read it, for amendments to be made to the
Action Plan as we move forward. So I'm going -- I'm going
on that premise; that it would be a living document. And
as we're being asked to approve Plan Bay Area this summer,
it's under these very specific conditions laid out.

I always feel obliged, as someone who was
involved in the dialogue around the SB 357 process, just
to remind people, one more time, any enforcement component
was removed, carats were to be utilized to incentivize the
performance of all of us at local government. These have
not been completely supplied. Statements of the obvious
may be, but to be remembered.

So what it comes down to is the general plan, and
not only the general plan, but the housing elements. And
so as we're looking at Action Plans, it seems to me that
we have to go back to the analysis of performance under
each of -- I think it's still the 101 cities in the nine counties' general plans as to how these -- each individual jurisdiction is performed.

I think we know the answer; that the performance has -- has not come anywhere close to meeting the goals that we are setting ourself in -- this Plan Bay Area.

But we keep on talking about local control.

Well, there's local obligations as well, as I see it, in terms of our responsibilities as elected officials in our respective cities and counties. And that is to look at our housing elements; to look at the RHNA numbers which have been generated. We'll be getting into the next RHNA cycle once the summer is over, if I recollect properly.

But the Action Plan to me has got to include a very -- a very incisive look at what we have actually done, community by community, because I believe that that needs to be called out.

SB 375 was not allowed to have enforcement actions. It was very deliberately removed in the process.

I removed myself from that process upon that juncture. So I watched this very closely indeed. And I look forward to serving on CASA, when it finally meets.

Thanks.

COMMISSIONER SPERING: Okay. I just want to remind everyone, we still have the public hearing on the
EIR.

So with that, Nick, Pradeep, and Haggerty.

COMMISSIONER JOSEFOWITZ: It's always good that you remind me to be short before I start --

COMMISSIONER SPERING: I was trying to be subtle.

COMMISSIONER JOSEFOWITZ: -- because otherwise I'm a risk.

COMMISSIONER MACKENZIE: Being subtle --

COMMISSIONER SPERING: Well, you're the chairman.

COMMISSIONER JOSEFOWITZ: I wanted to just thank staff for getting the Action Plan as well. I think that's super important, and thank the advocates that have shown up to -- on the work that they've done.

And I want to associate myself with a lot of the comments that they've made in their letter, as well as comments that are being made by my colleagues here.

I think the more specific we can get, the better. And the more work that we can do to kind of T-up these questions which the advocates bring up, the better we'll be able to make decisions as a -- in our respective commissions.

I think right now, a lot of the -- what the advocates, I think, are rightfully asking for, we don't necessarily have the -- sort of the information to be able to understand the consequences, if we moved in that
And so I would just continue to encourage staff to continue working with 6 Wins, NPH, Greenbelt, and others, to sort of get more granular on the Action Plan and also to sort of really explore in depth, in a way that can be presented back to us, the options that were laid out in their letter.

COMMISSIONER SPERING: Okay. Pradeep, and then Scott Haggerty.

COMMISSIONER GUPTA: Thank you, Chair Spering.

I'll be very brief. I appreciate your concern.

Just wanted to bring back the time that we started on this exercise, and there were huge number of issues at that time: Modeling issue; data issues; tremendous amount of growth that took place in the area very quickly, much faster than anybody had anticipated.

And I just wanted to tell you, my view was that -- and is now that staff has done wonderful job of bringing all the comments and opinions at the beginning of the cycle to an integrated approach to thinking about that issue.

We did not reach all the solutions, which were -- which could have been not expected anyway because that's how we were discussing when the Draft scenario was discussed. And the Action Plan idea was born out of that
discussion; that we had not reached the goals, but it
doesn't mean that the planning is bad. It's just a
question of seeing that future and trying to see what we
can do to make a change in that. And I think staff has
done that very well.

Also, I wanted to congratulate the different
interests groups which have inputted into the process, and
today also. I was really happy to see how they have
assimilated the effort that have been done by ABAG and MTC
jointly, and how they feel that their views have been
reflected in the Plan at this point in time. And I'm
very, very happy with the progress that has been made.

And as President Julie Pierce said at one time,
this is a moving target. We're looking at this issue
right now. What is the snapshot in time? We'll have
another chance to look at the same issues again and again.

Thank you very much.

COMMISSIONER SPERING: Okay. Supervisor

Haggerty.

COMMISSIONER HAGGERTY: Just real quick, and it's
somewhat a bit off topic. But it's come up a couple of
times, so I wanted to ask a question.

CASA has come up several times. And last time we
talked about CASA, it became aware to me, anyways, that
there was no county supervisors that were appointed to
that. And I brought that up.

And I was just curious. Have we appointed any

supervisors to that?

MR. HEMINGER: We've got one in the bag;

Commissioner Cortese.

And we're working on another from your county.

COMMISSIONER HAGGERTY: Okay. Good.

And of the two that I had mentioned?

MR. HEMINGER: I believe so, yes.

COMMISSIONER HAGGERTY: Thank you very much. I

appreciate that.

MR. HEMINGER: Again, I'm hoping the hardest

thing with CASA is just getting to the first meeting. I

think it's all downhill from there.

COMMISSIONER HAGGERTY: I understand that.

COMMISSIONER SPERING: I'll make just some brief

comments, and then we'll move into the EIR.

You know, if we're going to start conditioning

transportation dollars when you talk about displacement,

affordability, you know, I hope that we're geographically

specific. You know, don't burden counties that do not

have a displacement problem. Don't burden counties that

don't have an affordability problem. Don't burden

counties that are building more housing than jobs. You

know, we can't be under those same conditions. It's an
unfair allocation. You know, our needs are much

different, and it's more on the transit side.

And so that's one. I want to associate myself

with Commissioner Pierce's comments.

And, Steve, on CASA, are you going to be
developing both local and regional strategies? It seems

like, you know, some of the strategies that come out of

the region, the very local jurisdictions we're trying to

help are opposing it -- or individuals within those

jurisdictions. So, you know, we always have that

conflict.

So are you going to be looking at trying to build

that consensus locally?

MR. HEMINGER: We are, Commissioner, which is why

I think it's important to get the balance on this group

right. We're trying to balance several different sectors

in the private sector.

And we're also trying to balance public and

private -- and "public" means cities and counties -- so

that we've got the right group of people there who can,

you know, for lack of a better phrase, sort of make each

other mad for a while, and see if we can get past that

part to potentially some consensus points.

COMMISSIONER SPERING: And, Steve, I think that

is very important because that's going to be -- whether
we're successful or not in Sacramento, that there's this
-- build that consensus within the region.

MR. HEMINGER: Well -- and, again, I do want to prepare the commission and the ABAG board for the fact that I do think a big part of this CASA effort is trying to devise the Sacramento strategy; either a statewide one or a Bay-Area-only one.

But I think a big part of the discussion will also be, "What can we do with our existing authority?"

And part of that discussion is going to be about MTC and about the resources that you control as a commission. And you've bumped into that question quite a few times. I think you've all wanted to have the debate. Well, we're going to have the debate.

COMMISSIONER SPERING: Yeah. The reality of it is, it's not decisions that are being made in Sacramento that's created a housing crisis; it's decisions made in our local jurisdictions that has created it. And that has to be resolved, at some point.

And the last thing, I do support the Action Plan. I certainly hope that any Action Plan that -- you know, we have small bites at that; things that we can have successes on, and it's not too big of an Action Plan that we really don't show results. So I'm hoping that there's a piece of it -- pieces of it that we can really show some
So with that said, Ken, are you ready to get into
the Draft EIR?

MR. KIRKEY: We are ready.

I'm going to introduce Heidi Tschudin, who's our
EIR consultant. And she will walk you through this
presentation, and we can commence the public hearing on
the EIR.

COMMISSIONER SPERING: Okay. Heidi, before you
start -- please, if you would like to speak on the EIR,
get your card to -- Ursula, hold your hand up there.

She'll give you a card, and she'll pick it up and
get it to Martha.

And so with that, let's go forward with the
presentation.

MS. TSCHUDIN: Thank you very much. My name is
Heidi Tschudin.

Am I on?

COMMISSIONER SPERING: Yes. Apparently -- yeah,
there you go, Heidi.

MS. TSCHUDIN: Thank you.

We're going to cover two things today: I'll give
you a quick overview on the Draft EIR, and then we'll
receive the oral comments on the adequacy of the EIR.

As defined in the CEQA Guidelines, "adequacy"
means allowing decision-makers to intelligently take into account environmental consequences. The idea is not to try to achieve perfection, but rather adequacy, completeness, and a good-faith effort of full disclosure. This gives you a quick summary of the CEQA process. It involves analyzing impacts, informing you about the results of that analysis, identifying measures that could mitigate impacts, and analyzing alternatives.

There's four main sections in the Draft EIR: The Introduction and the Executive Summary give you the context of the document and summarize the conclusions. The Project Description reviews the Plan Bay Area, which you've already heard a report on. The Environmental Analysis, which is in Chapter 2, goes into the details of analysis in the 14 issue areas. And Section 3 deals with alternatives and other required sections under CEQA.

You've already gotten an overview on the Plan. So in the interest of time, I'm going to move quickly through these slides. I want to briefly touch on the level of analysis in the EIR. CEQA recognizes that there's different types of projects that merit different approaches, in terms of the level and detail of analysis. And for large plan
documents such as this one, a more programmatic approach is allowed. And that is what is reflected in the Draft EIR.

We also cover several different levels of analysis in this EIR. We have an analysis overall for the entire region. We also analyze by county. And then in some areas, where appropriate, we address transit priority areas.

These are the 14 issue areas that are addressed in the EIR. These have already actually been read to you by the Chair, when you introduced the items, so I'm going to skip over this slide.

The approach in the environmental impact analysis for each of those 14 areas is the same. It starts with a summary of existing conditions, a summary of the regulations and policies that apply, identification of the thresholds for determining significance, a description of the method for each of the analyses, and then an analysis of significance; again, identification of mitigation measures, and then conclusions.

There are streamlining benefits that are available to future projects that are consistent with the Plan. And for a project to take advantage of those benefits, the lead agency must comply with all the feasible and applicable mitigation measures that are
identified in this EIR, and in any other relevant EIRs. Where a future project, though, would not have potentially significant impacts, they are not required to adopt the mitigation measures in order to take advantage of the streamlining benefits. And there's a very useful link to streamlining opportunities on the Plan Bay Area 2040 website. There's also a summary in the EIR.

The Alternatives Analysis, which is dictated by CEQA, provides a comparative assessment of the differences in environmental impacts for identified alternatives, as compared to the project. The analysis looks at four alternatives that were approved by this body in December of 2016. And that's Section 3.1 of the EIR.

In order to get a good comparison, the same regional forecast of households, jobs, and transportation revenues are assumed for each of the alternatives. What changes between them is the land-use development pattern, and the transportation investment strategies. And, consequently, the impacts from -- when you compare the Plan with the alternatives are similar in many cases.

However, differences do emerge based on the location and the assumed size of the land-use growth and the transportation project footprints within each alternative.

We are required under CEQA to identify what's
called the "Environmentally-Superior Alternative," which we have determined to be Alternative 3, which is the "Big Cities Alternative."

We've found that this alternative would result in the lowest overall level of environmental impacts, as compared to the project.

The land use modeling assumptions and the transportation investment assumptions for this alternative are identified on Page 3.1-7. And, comparatively, this alternative has the most compact growth pattern.

When considering the Plan for adoption, however, the commission and the ABAG executive board must consider this information, but you're not precluded from adopting the proposed Plan, if it is determined to be preferable when balancing all of the relevant factors.

Quickly touching on next steps. After the comment period closes on June 1st, we'll consider all the comments that we receive, and we will provide responses to them.

We may also identify recommended changes and clarifications to the Draft EIR. And that information will be provided in a separate document, which together, with the Draft EIR, will constitute the Final EIR.

The commission and the executive board of ABAG must certify the EIR, and then you may adopt the Plan.
And we're presently working towards adoption in July. The EIR is available online, or you can contact MTC staff to make other arrangements. We do encourage you to read it.

The comment period will close on June 1st. There are a number of ways to make comments, including orally today, or by submitting written comments today; submittal of written comments by hand at any of the three comment meetings; by U.S. Mail to the MTC offices; by fax, or electronically using e-mail.

And that concludes my presentation.

Thank you.

COMMISSIONER SPERING: Commissioners, what I would like to do is open the public hearing and take the speaker cards, and then bring it back to the committee for comment.

So with that, I would like to open the public hearing on the Draft EIR.

And, Martha, if you could read several cards.

And, speakers, you can use both microphones.

MS. SILVER: Bill Martin, Matt Vander Sluis, and David Zisser. That's all the speakers.

COMMISSIONER SPERING: Okay. Three speakers.

BILL MARTIN: Everybody ready?

COMMISSIONER SPERING: Yes. Go ahead.
BILL MARTIN: Thank you. My name is Bill Martin; San Francisco resident.

My previous comments were meant to highlight the risks to water availability for economic population growth in the Bay Area, and indicated my concerns that the risks to the water availability were not properly addressed or are not -- have not properly been addressed in the Plan Bay Area.

A couple of comments about what might -- where might we get water; how might we try to reduce the level of risk to population and economic growth.

A couple of comments relative to the sort of obstacles that come up along this line. For example, real estate developers often don't care about where -- how the water is going to get into the pipe for their new development. And I think this is an area where you guys have an opportunity to influence the different rules regarding how -- the approval of particular projects, versus the water that's going to be used by the residents.

Another comment is the fact that water agencies need revenue to continue to service the communities. But with reduced water availability, their revenues are going to go down. This too is an area where I think you might have a chance of influence.

Finally, there's numerous and considerable ways
that the state has already identified. One particular entity, the City of Los Angeles, has implemented a lot of these ways. For example, landscaping rules about what can be used, what can be planted, how it can be planted, relative to future water because that has a big effect of future water use, if a landscape doesn't need very much water.

Builders can design projects that also help that. And, finally, we can use different offsets. So I hope that your Plan would reflect some of the things that are already out there for improving the per capita water use across the communities.

Thank you very much.

COMMISSIONER SPERING: Thank you, Bill.

MATT VANDER SLUIS: Matt Vander Sluis, Greenbelt Alliance. Thank you for this opportunity to comment on the Draft EIR.

I have four items that I wanted to raise briefly. In the original Plan Bay Area 2013, the Final Environmental Impact Report included a rather substantial list of mitigation measures related to the loss of agricultural lands.

It appears, in the new Draft for Plan Bay Area 2040, that that list has been significantly truncated; that is, the mitigation measures identified in the
previous plan have been removed.

There were, I think, 16 measures in the original Plan. 12 of those measures have been removed. Two of them have been truncated.

So we hope to explore that further and better understand why those changes may have been made and -- it does -- it certainly raised concerns.

Those mitigation measures had been refined over the course of the development of the EIR for Plan Bay Area 1.0 -- of additional measures being added from the Draft to the Final in Plan Bay Area 1.0. And so we are concerned about that issue.

It also appears that some mitigation measures have been removed related to the fact that the Draft Plan may conflict with conservation -- local conservation policies, such as habitat conservation plans and natural community conservation plans.

The EIR for 1.0 included a series of mitigation measures that should be considered. The current Plan says that no measures are -- no mitigation measures are required. I'm not sure what the background on that is, and I'm looking forward to working with staff to better understand those issues.

The third issue is that we have been asking for an assessment of the greenhouse gas emissions that result
from the land disturbance from loss of natural and
agricultural lands from the Plan. It doesn't appear that
the EIR includes those.

We would like to see that sort of analysis
included to help us better understand the benefits of the
more compact footprint that's being called for in this
Plan.

And my fourth point is, we would like to see a
stronger addressing of water conservation measures that
can help us accommodate the growth that's projected in the
Plan, where we are looking to accommodate it.

So many things that could be outlined in the Plan
that would help encourage those joint outcomes we'd all
like to see.

Thank you.

COMMISSIONER SPERING: And this is our last
speaker, Martha?

Is there anyone else in the audience that would
like to address the Draft EIR in comment?

Okay. This is our last speaker.

DAVID ZISSER: If you weren't sick of me yet.

David Zisser, again, with Public Advocates.

Really this is just a heads-up and some
preliminary comments. Public Advocates will probably be
submitting comments by the June 1st deadline for the EIR.
Page 64

1 And just -- I haven't had a chance to dive in, but at a
2 first glance, we do have some early concerns about the way
3 displacement is addressed in the Draft EIR -- both the way
4 it is analyzed, and the discussion around mitigation
5 measures -- and have a question, at least, about whether
6 it would be appropriate to think about tieing the
7 strategies in the Action Plan to mitigation measurements
8 in the EIR as sort of a cheat sheet for the EIR. So, you
9 know, we'll be looking more closely at that and sharing
10 our thoughts.

11 I also just want to sort of be on the record for
12 -- to say two things about the equity, environment, and
13 jobs scenario that was included. While I want to thank
14 you all for finally including that and doing an analysis
15 of a version of the EEJ, you know, we -- we had pushed for
16 it to be included as one of the scenarios in Plan Bay
17 Area, and it wasn't. So there wasn't a lot of time to
18 develop that with staff.

19 And we were notified very, very late that it
20 would be included in the EIR. And, again, we're grateful
21 that it was, but for whatever it's worth -- it may not be
22 worth much to folks here -- but we're not ready to put the
23 6 Wins' stamp of approval on the EEJ, as developed and as
24 studied in the EIR, for Plan Bay Area.

25 We need to look more closely at that, but it
certainly wasn't as robust as the EEJ and Plan Bay Area 2013, though it does have a lot of good things included. That's all. Thank you.

COMMISSIONER SPERING: Okay. Thank you.

So is there any other speaker?

Okay. If there's no other speakers, I'm going to formally close the public hearing for the Draft EIR, and I'll bring it back to the committee members.

And, Pat, I'll go with you, first.

COMMISSIONER PIERCE: Let me make one quick announcement: Before we start to lose members from my admin committee, I do have a brief closed session following this. So please don't run away. It will be brief, but I need you to stick around.

COMMISSIONER SPERING: Okay. I have Pat, who would like -- any other speakers?

COMMISSIONER EKLUND: Thank you very much, Chair Spering. I haven't finished my complete review of the EIR yet, but there's a couple of charts in here that I'm very concerned about, and some of the mitigation measures, which I'll briefly just mention; specifically Table 1.2-7, which talks about the total land area in each of the counties. That is not accurate. It says the data source is compiled by MTC in 2017.

Well, the acreage -- at least for Marin, it does
not coincide with what the county says -- and, also, Marin LAFCO as well. So there's a big discrepancy there, for as much as 40,000 acres.

But what -- this chart, though, is very -- kind of disingenuous in a way because in San Mateo County and Marin and, for that matter, Napa and some of the other counties -- and possibly even Sonoma -- a lot of that acreage is not buildable.

For an example, in Marin County, total agricultural and grazing land in the last Plan Bay Area was 258,000 acres, just in Marin. LAFCO has different numbers now.

But I really think a column is missing. And that column is, "What is the available land for growth?" And in LAFCO's estimate, at least for Marin, it's only 42,000 acres.

So when you talk about how much land is designated for TPAs and PDAs, it's the reader that may not necessarily know that county; might get the wrong impression.

When I also looked at some of the assumptions -- I've made this comment before. I -- and my comments, as an elected official, will reflect this, is that some of those assumptions, I think, are not realistic.

For MTC and ABAG to assume that they're going to
assign higher densities than currently allowed by cities
in their priority development areas is going against what
follows in that very next paragraph about local control.
So I think, at some point, we need to have a discussion
about the realismness [verbatim] of some of these
strategies.

And I agree with the Greenbelt Alliance comment
about farmland and grazing land and open space. Some of
those -- all those mitigation measures were eliminated.

And Marin County, ABAG delegates and alternates
came with a very strong comment back in 2013, 2014, that
water availability and use should be a prime focus in
future Plan Bay Areas. And there really isn't that --
that focus at all.

So the Marin ABAG delegates will be submitting
comments on the EIR on the Plan, but I -- those are just
two things that I've identified so far, as well as some
inconsistencies throughout the EIR, which we'll point out.

Thank you.

COMMISSIONER SPERING: Okay. Any other comments?
Okay. Heidi, thank you.

And, Ken, thank you for the presentation. Ken,
do you have anything else to add?

MR. KIRKEY: Thank you.

(Whereupon, the public hearing concluded at 12:24 p.m.)
CERTIFICATE OF REPORTER

I, AMBER EMERICK, hereby certify that the proceedings were taken in shorthand by me, a Certified Shorthand Reporter of the State of California, and was thereafter transcribed into typewriting, and that the foregoing transcript constitutes a full, true, and correct report of said proceedings which took place;

That I am a disinterested person to the said action.

IN WITNESS WHEREOF, I have hereunto set my hand this 24th day of May, 2017.

___________________________________________
AMBER EMERICK CSR No. 13546